

**THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**


<b>ERIC C. PEARCE</b>	:	<b>CIVIL ACTION NO.:</b>
	:	<b>1:05-cv-11694</b>
<b>Plaintiff,</b>	:	
	:	
<b>v.</b>	:	<b>JURY TRIAL DEMANDED</b>
	:	
<b>KEITH BAUMM,</b>	:	
<b>ADVANCED COMPOSITE</b>	:	
<b>ENGINEERING dba</b>	:	
<b>AEGIS BICYCLES,</b>	:	
<b>AEGIS HANDMADE CARBON</b>	:	
<b>FIBER BICYCLES, LLC dba</b>	:	
<b>AEGIS BICYCLES,</b>	:	
<b>AEGIS RACING BIKES USA, LLC</b>	:	
<b>dba AEGIS BICYCLES,</b>	:	
<b>FASTBIKES USA, LLC dba</b>	:	
<b>AEGIS BICYCLES,</b>	:	
<b>WYMAN-GORDON INVESTMENT</b>	:	
<b>CASTINGS, INC.,</b>	:	
<b>STURM, RUGER &amp; CO., INC AND</b>	:	
<b>UNI-CAST, INC.</b>	:	
<b>Defendants,</b>	:	<b>December 10, 2007</b>

**OBJECTION TO MOTION TO DISMISS**

The undersigned plaintiff hereby objects to the defendants Aegis Handmade Carbon Fiber Bicycles, LLC, dba Aegis Bicycles, Aegis Racing Bikes USA, LLLC, dba Aegis Bicycles, Fastbikes USA, LLC dba Aegis Bicycles, (hereinafter "Aegis Defendants") Motion to Dismiss dated July 19, 2007. In support of this Objection, the undersigned represents that the complaint, as drafted states a valid cause of action against the Aegis Defendants based on their status as successor corporations to Advanced Composite Engineering dba Aegis Bicycles, the manufacturer and seller of the defective fork. Alternatively, should the Court determine that the plaintiff has failed to plead his


allegations with sufficient specificity following the Supreme Court's decision in *Bell Atlantic Corp. v. Twombly*, ---U.S. ----, 127 S.Ct. 1955, 167 L.Ed.2d 929 (2007), the plaintiff seeks leave of the Court to file an amended complaint in conformance with the *Twombly* pleading standard. A memorandum of law in support of this Objection is attached hereto.

THE PLAINTIFF  
ERIC C. PEARCE

By:   
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**CERTIFICATION**

I hereby certify that a copy of the foregoing was filed electronically and served by mail on anyone unable to accept electronic filing on December 10, 2007. Notice of this filing will be sent by email to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing.

  
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